IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 7 OF 2006
IN
CRIMINAL APPLICATION

Swapnil Manohar Hazare ....Applicant.

V/s

The State of Maharashtra
(At the instance of Kapur
Bawadi Police Station) ....Respondent.

Mr. V.V. Purwant for the applicant.

Mr. Rajesh More, APP for the State.

CORAM: V.M. KANADE, J.

DATE: 7th February 2006

P.C.:

1. Heard the learned Counsel for the applicant and the learned APP for the State.

2. The applicant is seeking relaxation of the condition imposed by this Court by order dated 14/11/2004 whereby this Court had directed that the applicant shall not enter jurisdiction of Thane City during the pendency of the trial. It is submitted by the learned Counsel appearing for the applicant that more than one year has elapsed after the said condition was imposed and he has complied with the said condition imposed by this Court. He submitted that the applicant's parents are old and there is no one to look after his parents and, therefore, the said

condition may be relaxed as the trial has not yet begun.

3. The learned APP strongly opposes the application for relaxation of condition. He submitted that the applicant had assaulted the complainant on account of political rivalry. He, however, candidly admitted that there are no other criminal antecedents against the present applicant.

4. Considering the fact that the applicant has not entered Thane City for a period of more than one year, in my view, the said condition may be relaxed. The said condition, therefore, is relaxed. However, the applicant shall report to Kapur Bawadi Police Station once in a week. If an attempt is made to pressurise the witnesses, the liberty is granted to the prosecution to apply for cancellation of bail.

V.M. KANADE, J.